

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6183

AN ORDINANCE approving the rezone application of the Bellevue 116th Avenue, LLC to change the land use district designation from General Commercial (GC) to Community Business (CB) allowing General Merchandise uses per Bellevue Land Use Code 20.10.440 relating to approximately 3.15 acres located in the Wilburton/NE 8th Street Subarea at 316 116th Avenue Northeast in Bellevue, Washington.

WHEREAS, John McCullough, (McCullough Hill PS) filed an application to rezone approximately 3.15 acres located in the Wilburton/NE 8th Street Subarea at 316 116th Avenue, Bellevue, Washington; and

WHEREAS, on July 2, 2014 such application was transferred to Bellevue 116th Avenue, LLC, the owner of the property described herein; and

WHEREAS, references to John McCullough, (McCullough Hill PS) herein shall be deemed to refer to the current applicant; and

WHEREAS, on September 11, 2014, a public hearing was held before the Hearing Examiner for the City of Bellevue pursuant to notice required by law; and

WHEREAS, on September 18, 2014, the Hearing Examiner recommended approval of the rezone application, and made and entered findings of fact and conclusions of law based thereon in support of that recommendation, and no timely appeal thereof has been filed; and

WHEREAS, the City Council concurs in the findings of fact and conclusions of the Hearing Examiner, and has determined that the public use and interest will be served by approving the rezone; and

WHEREAS, the City has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code and a Determination of Non-Significance was issued on May 8, 2014; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES
ORDAIN AS FOLLOWS:

Section 1. The City Council adopts the findings of fact and conclusions based thereon, made and entered by the Hearing Examiner in support of the recommendation to the City Council with regard to the hereinafter described property as set forth in "Findings, Conclusions and Recommendations of the Hearing Examiner for the City of Bellevue in the matter of the Application of John

ORIGINAL

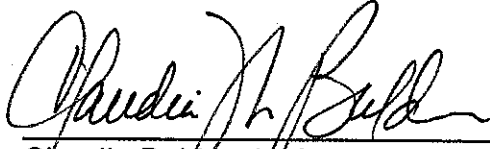
McCullough, (McCullough Hill PS) to change the zoning on 3.15 acres in the Wilburton/NE 8th Street subarea from General Commercial to Community Business to allow General Merchandise uses, Examiner's File No. 13-130500 LQ."

Section 2. The property legally described in Exhibit A, which is attached hereto and by this reference fully incorporated herein is hereby reclassified from General Commercial to Community Business to allow General Merchandise uses.

Section 3. This ordinance shall take effect and be in force five (5) days after passage and legal publication.

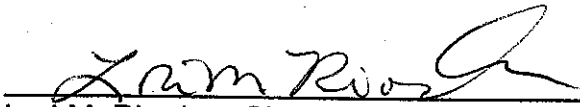
Passed by the City Council this 20 day of OCTOBER, 2014
and signed in authentication of its passage this 20 day of OCTOBER, 2014.

(SEAL)



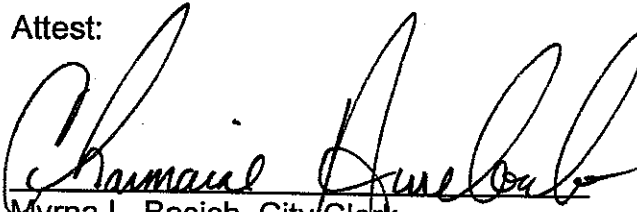
Claudia Balducci, Mayor

Approved as to form:



Lori M. Riordan, City Attorney

Attest:



Myrna L. Basich, City Clerk

Published 10/23/14

Attachment A – Legal Description of Site

Metes and Bounds Description

THE SOUTH 392.95 FEET OF THE NORTH 785.95 FEET OF THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 25 NORTH, RANGE 5 EAST, WILLAMETTE MERIDIAN, IN KING COUNTY, WASHINGTON, LYING WEST OF THE NORTHERN PACIFIC RAILWAY RIGHT OF WAY AND LYING NORTH OF THE NORTH LINE OF FUTURE NE 4TH STREET AS CONDEMNED BY THE CITY OF BELLEVUE PURSUANT TO CONDEMNATION PROCEEDINGS FILED IN KING COUNTY SUPERIOR COURT CAUSE NUMBER 12-2-19166-2 SEA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION;
THENCE SOUTH 0°19'43" WEST ALONG THE WEST LINE OF SAID SECTION 821.00 FEET;
THENCE SOUTH 89°19'26" EAST 50.00 FEET TO THE EAST MARGIN OF STATE HIGHWAY 2-A (116TH AVENUE NORTHEAST) AND THE TRUE POINT OF BEGINNING;
THENCE SOUTH 0°19'43" WEST ALONG SAID EAST MARGIN 817.89 FEET;
THENCE SOUTH 89°26'52" EAST 467.89 FEET TO THE WESTERLY MARGIN OF THE NORTHERN PACIFIC RAILWAY RIGHT OF WAY;
THENCE NORTHERLY ALONG SAID WESTERLY MARGIN TO A POINT SOUTH 89°19'26" EAST FROM THE TRUE POINT OF BEGINNING;
THENCE NORTH 89°19'26" WEST 442.63 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 137210 SQUARE FEET OR 3.150 ACRES MORE OR LESS